

# ATTORNEY DOCKET NO. 03269.0032U1 EXPRESS MAIL NO. EL 997678154 US PATENT

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	)	
Wright	) Art Unit:	1771
Application No. 10/719,389	) Examiner	: Juska, Cheryl Ann
Filing Date: November 20, 2003	) Confirma	tion No. 2578
For: CARPET STRUCTURE WITH PLASTOMERIC FOAM BACKING	) ) )	

#### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C. Customer Number 23859

Sir:

Pursuant to the requirements of 37 C.F.R. § 1.56, submitted herewith is information known to Applicants and/or their attorneys.

In accordance with the provisions of M.P.E.P. § 2001.06(b) and 37 C.F.R. § 1.98(b)(3), Applicants would like to bring to the attention of the Examiner the existence of the co-pending patent application(s) identified below, which were filed in the United States Patent and

Trademark Office:

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# ATTORNEY DOCKET NO. 03269.0032U1 EXPRESS MAIL NO. EL 997678154 US Application No. 10/719,389

	Application No.	<b>Date Filed</b>	<u>Inventors</u>	Attorney Docket No.
1.	11/594,493	November 7, 2006	Brumbelow et al.	03269.0014U5

This application is stored in the Image File Wrapper (IFW) system of the USPTO. Accordingly, copies of the cited specification, including the claims and drawings thereof, are not enclosed in accordance with the waiver to 37 CFR 1.98(a)(2)(iii) dated September 21, 2004.

The above cross cite to co-pending application serial number 11/594,493 is believed to be filed in a timely manner pursuant to 37 C.F.R. § 1.97(d), in that it is being filed on or before the payment of the issue fee. Accordingly, Applicants enclose the fee required under 37 C.F.R. § 1.97(d)(2) and make the statement required under 37 C.F.R. § 1.97(e)(2). The undersigned hereby certifies that the above referenced co-pending application serial number 11/594,493 was not cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, the above referenced co-pending application serial number 11/594,493 was not known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Also enclosed for the Examiner's consideration is an Office Action rejecting the claims of co-pending U.S. patent application numbers 09/032,893. This Office Action was mailed on November 2, 2006. Accordingly, the submission of the November 2, 2006 Office Action from co-pending application serial number 09/032,893 is believed to be filed in a timely manner pursuant to 37 C.F.R. § 1.97(d), in that it is being filed on or before the payment of the issue fee. Accordingly, Applicants enclose the fee required under 37 C.F.R. § 1.97(d)(2) and make the

statement required under 37 C.F.R. § 1.97(e)(2). The undersigned hereby certifies that the November 2, 2006 Office Action from co-pending application serial number 09/032,893 was not cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, the November 2, 2006 Office Action from co-pending application serial number 09/032,893 was not known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Still further, submitted herewith on the accompanying Information Disclosure Statement List is a listing of documents known to Applicants and/or their attorneys. Copies of any cited foreign patent document and/or any non-patent publication are enclosed. Documents D1-D2 are believed to be filed in a timely manner pursuant to 37 C.F.R. § 1.97(d), in that they are being submitted on or before the payment of the issue fee. Accordingly, Applicants enclose the fee required under 37 C.F.R. § 1.97(d)(2) and make the statement required under 37 C.F.R. § 1.97(e)(2). The undersigned hereby certifies that references D1-D2 contained in the Information Disclosure Statement were not cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, references D1-D2 were not known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Consideration of the cited documents and making the same of record in the prosecution of the above-referenced application are respectfully requested.

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A Credit Card Payment Form PTO-2038 authorizing payment in the amount of \$180.00 for the fee pursuant to 37 C.F.R § 1.17(p) is enclosed. However, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

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APPLICATION NO. 10/719,389

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#### Complete if Known Application Number 10/719.389 INFORMATION DISCLOSURE Filing Date November 20, 2003 STATEMENT LIST First Named Inventor Wright 1771 (Use as many sheets as necessary) Group Art Unit Cheryl Ann Juska **Examiner Name** U.S. PATENT DOCUMENTS Class Subclass Document No. Date Name Filing Examiner's Cite No. Date (if Initials appropriate FOREIGN PATENT DOCUMENTS Cite Translation Foreign Patent Document Name Examiner's Date Initials No. Country Code-Number-Kind Code Yes/No D1 WO 93/12151 June, 1993 Brant, et al. D<sub>2</sub> WO 94/06859 Mar., 1994 Silvis, et al. WO 96/04419 Feb., 1996 D3 Simpson, et al. NON-PATENT DOCUMENTS Cite Non-Patent Citations (include Author, Title, Publisher, Relevant Pages, Date and Place of Publication) Examiner's Initials No. **Examiner Signature: Date Considered:** EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through

citation if not in conformance and not considered. Include copy of this form with next communication to applicant.